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PTO/SB/21 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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| | | | |
|--|----|------------------------|------------------|
| TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small> | | Application Number | 10/604,969 |
| | | Filing Date | August 28, 2003 |
| | | First Named Inventor | Matthew T. Starr |
| | | Art Unit | 3661 |
| | | Examiner Name | M. Marc |
| Total Number of Pages in This Submission | 18 | Attorney Docket Number | 1046_031 |

| ENCLOSURES (Check all that apply) | | |
|---|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return receipt postcard |
| Remarks | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | |
|--|-----------------------------|----------|--------|
| Firm Name | WALL MARJAMA & BILINSKI LLP | | |
| Signature | | | |
| Printed name | Indranil Mukerji | | |
| Date | August 17, 2006 | Reg. No. | 46,944 |

| Transmittal | |
|--|-------------------------------|
| I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV676907851US, on the date shown below in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. | |
| Date: August 17, 2006 | Signature: (Cynthia Losurdo) |

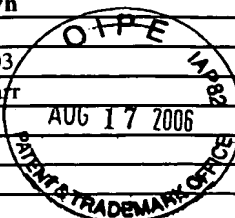
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2006

Complete if Known

| | |
|----------------------|------------------|
| Application Number | 10/604,969 |
| Filing Date | August 28, 2003 |
| First Named Inventor | Matthew T. Staff |
| Examiner Name | M. Marc |
| Art Unit | 3661 |
| Attorney Docket No. | 1046_031 |



☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT \$25.00

Express Mail Label No. EV676907851US

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 50-0289 Deposit Account Name: Wall Marjama & Bilinski LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
| | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | |

2. EXCESS CLAIM FEES

| Fee Description | Fee (\$) | Small Entity Fee (\$) |
|---|----------------|-----------------------|
| Each claim over 20 (including Reissues) | 50 | 25 |
| Each independent claim over 3 (including Reissues) | 200 | 100 |
| Multiple dependent claims | 360 | 180 |
| Total Claims | | |
| 40 | - 39 or HP = 1 | x \$25.00 = \$25.00 |
| HP= highest paid number of total claims paid for, if greater than 20 | | |
| Indep. Claims | | |
| 5 | - 5 or HP = | x = |
| HP = highest number of independent claims paid for, if greater than 3 | | |

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--|----------|---------------|
| - 100 = | / 50 = | (round up to a whole number) x | = | |

4. OTHER FEES

| Non-English Specification, \$130 fee (no small entity discount) | Fees Paid (\$) |
|---|----------------|
| Other (e.g., late filing surcharge) | |

SUBMITTED BY

| | | |
|-------------------|--|------------------------|
| Signature | Registration No. 46,944 (Attorney/Agent) | Telephone 315-425-9000 |
| Name (Print/Type) | Indranil Mukerji | Date August 17, 2006 |

Attorney Docket No.: 1046_031 (SL073)

PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE



Inventor(s): Starr, Matthew T.; Carter, Joshua D.; Thompson, Nathan C.
Confirmation No.: 1968
Serial No.: 10/604,969 Art Unit: 3661
Filed: August 28, 2003 Examiner: Marc, McDieunel
Customer No.: 20874

Title: ROBOTIC DATA STORAGE LIBRARY WITH THE
ABILITY TO REDUCE THE TRANSITION TIME TO
REACH AN OPERATIONAL STATE AFTER A
TRANSITION FROM A POWER-OFF STATE TO A
POWER-ON STATE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 addressed to Mail Stop Amendment Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 17, 2006, under "EXPRESS MAIL" mailing label number EV676907851US.

Cynthia L. Losurdo
Cynthia L. Losurdo

AMENDMENT AND RESPONSE

Sir:

In response to the Non-Final Office Action mailed on June 16, 2006 ("the Office Action"), please amend the above identified application as shown herein.

AMENDMENTS TO THE TITLE is reflected on page 2 of this paper.

REPLACEMENT ABSTRACT is reflected on page 3 of this paper.

AMENDMENTS TO THE CLAIMS are reflected in the listing of claims, which begins on page 4 of this paper.

REMARKS begin on Page 13 of this paper.

AMENDMENTS TO THE TITLE

The amended Title replaces all prior versions of this Title in the application:

~~ROBOTIC DATA STORAGE LIBRARY WITH THE ABILITY TO REDUCE THE
TRANSITION TIME TO REACH AN OPERATIONAL STATE AFTER A TRANSITION
FROM A POWER OFF STATE TO A POWER ON STATE~~ OPERATIONAL
OPTIMIZATION AFTER POWERING ON A ROBOTIC DATA STORAGE LIBRARY